



S/N 10/665,746

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KNUDSON ET AL.	Examiner:	UNKNOWN
Serial No.:	10/665,746	Group Art Unit:	UNKNOWN
Filed:	SEPTEMBER 19, 2003	Docket No.:	13033.2USC1
Title:	IMPLANTABLE STIMULATION DEVICE FOR SNORING TREATMENT		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 8, 2004.

By:

Name:

*Kristine A. Wallace*  
*Kristine A. Wallace*

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/409,018 filed on September 29, 1999, now U.S. Patent No. 6,636,767 B1. A copy of the U.S. Patent No. 6,636,767 B1 listed on the enclosed Form 1449 is not provided, as this application was filed after June 30, 2003.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

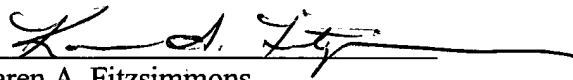
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: March 8, 2024

  
Karen A. Fitzsimmons  
Reg. No. 50,470  
KAF:PLSkaw



FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

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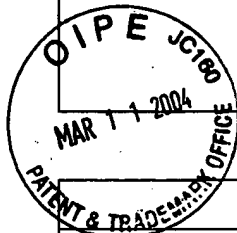
Application Number:

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Applicant: KNUDSON ET AL.

Filing Date: 09/19/2003

Group Art Unit: UNKNOWN



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,998,209	12/21/1976	Macvaugh			
	4,637,405	01/20/1987	Brenman et al.			
	4,830,008	05/16/1989	Meer			
	4,978,323	12/18/1990	Freedman			
	5,046,512	09/10/1991	Murchie			
	5,052,409	10/01/1991	Tepper			
	5,133,354	07/28/1992	Kallok			
	5,158,080	10/27/1992	Kallok			
	5,176,618	01/05/1993	Freedman			
	5,178,156	01/12/1993	Takishima et al.			
	5,190,053	03/02/1993	Meer			
	5,212,476	05/18/1993	Maloney			
	5,281,219	01/25/1994	Kallok			
	5,284,161	02/08/1994	Karell			
	5,456,662	10/10/1995	Edwards et al.			
	5,514,131	05/07/1996	Edwards et al.			
	5,540,733	07/30/1996	Testerman et al.			
	5,591,216	01/07/1997	Testerman et al.			
	5,674,191	10/07/1997	Edwards et al.			
	5,718,702	02/17/1998	Edwards			
	5,792,067	08/11/1998	Karell			
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	Re. 36,120	03/02/1999	Karell			
	5,897,579	04/27/1999	Sanders			
	5,922,006	07/13/1999	Sugerman			
	5,979,456	11/09/1999	Magovern			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

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6,240,316 B1	05/29/2001	Richmond et al.			
6,636,767 B1	10/21/2003	Knudson et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 706 808 A1	04/17/1996	EP				
	1553140	03/30/1990	SU			Abstract	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Boot, H. et al., "Long-Term Results of Uvulopalatopharyngoplasty for Obstructive Sleep Apnea Syndrome", <i>The Laryngoscope</i> , pp. 469-475 (March 2000).
	Brochure, "Haven't you suffered from Snoring long enough", <i>Somnoplasty<sup>SM</sup></i> , 2 pgs.
	Brochure, "Our Diagnostic Procedures are a Snap®!", <i>Snap Laboratories</i> , 4 pgs.
	Brochure, "Snore-Free Nights - Guaranteed!", <i>Your Health News</i> , 2 pgs.
	Brochure, "Snoreless <sup>TM</sup> ", <i>Nutrition for Life International</i> , 2 pgs. (December 1999).
	C. Lorenz, "If he Snores - what can you do about it?", <i>Today's Woman</i> , July 1948, p.112.
	Cole, P. et al., "Snoring: A Review and a Reassessment", <i>The Journal of Otolaryngology</i> , Vol. 24, No. 5, pp. 303-306 (1995).
	Coleman, S. et al., "Midline Radiofrequency Tissue Reduction of the Palate for Bothersome Snoring and Sleep-Disordered Breathing: A Clinical Trial", <i>Otolaryngology-Head and Neck Surgery</i> , pp. 387-394 (March 2000).
	Dalmaso, F. et al., "Snoring: Analysis, Measurement, Clinical Implications and Applications", <i>European Respiratory Journal</i> , pp. 146-159 (1996).
	Ellis, P. D. M. et al., "Surgical relief of snoring due to palatal flutter: a preliminary report", <i>Annals of the Royal College of Surgeons of England</i> , Vol. 75, No. 4, pp. 286-290 (1993).
	Fischer, Y. et al., "Die Radiofrequenzablation des weichen Gaumens (Somnoplastik)", <i>Redaktion</i> , pp. 33-40 (2000).
	Gillette, P. et al., "Pediatric Cardiac Pacing", <i>Cardiology Clinics</i> , Vol. 10, No. 4, pp. 749-754 (November 1992).
	Harries, P. et al., "The Surgical Treatment of Snoring", <i>Journal of Laryngology and Otology</i> , Vol. 110, pp. 1105-1106 (December 1996).
	Huang, L., "Flutter of Cantilevered Plates in Axial Flow", <i>Journal of Fluids and Structures</i> , Vol. 9, pp. 127-147 (1995).
	Huang, L. et al., "Biomechanics of Snoring", <i>Endeavour</i> , Vol. 19, No. 3, pp. 96-100 (1995).

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		Kasey, K. et al., "Radiofrequency Volumetric Reduction of the Palate: An Extended Follow-Up Study", <i>Otolaryngology-Head and Neck Surgery</i> , Vol. 122, No. 3, pp. 410-414 (March 2000).
		LaFrentz, J.R.L. et al., "Palatal stiffening techniques for snoring in a novel canine model", <i>ARO Abstracts</i> , Vol. 22, Abstract No. 499, pp. 125 - 126 (February 13 - 18, 1999)
		Schwartz, R. et al., "Effects of Electrical Stimulation to the Soft Palate on Snoring and Obstructive Sleep Apnea", <i>The Journal of Prosthetic Dentistry</i> , Vol. 76, No. 3, pp. 273-281 (September 1996).
		Search Report from PCT/US02/07966, mailed 11/08/2002
		Wiltfang, J. et al., "First Results on Daytime Submandibular Electrostimulation of Suprahyoid Muscles to Prevent Night-Time Hypopharyngeal Collapse in Obstructive Sleep Apnea Syndrome", <i>International Journal of Oral and Maxillofacial Surgery</i> , pp. 21-25 (1999).

**23552**

PATENT TRADEMARK OFFICE

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